# UNITED STATES PATENT AND TRADEMARK OFFICE

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---|---|---|---|
| 09/905,506 | 07/12/2001 | Shell Sterling Simpson | 10008181-1 | 3369 |

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| 7590         04/16/2007<br>HEWLETT-PACKARD COMPANY<br>Intellectual Property Administration<br>P.O. Box 272400<br>Fort Collins, CO 80527-2400 | EXAMINER |
| | SINGH, SATWANT K |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2625 | |

| SHORTENED STATUTORY PERIOD OF RESPONSE | MAIL DATE | DELIVERY MODE |
|---|---|---|
| 3 MONTHS | 04/16/2007 | PAPER |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

PTOL-90A (Rev. 10/06)

| | Application No. | Applicant(s) |
|---|---|---|
| | 09/905,506 | SIMPSON ET AL. |
| **Office Action Summary** | Examiner | Art Unit | |
| | Satwant K. Singh | 2625 | |

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) ☒ Responsive to communication(s) filed on <u>08 January 2007</u>.

2a) ☒ This action is **FINAL**.    2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) ☒ Claim(s) <u>1-25</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-25</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on <u>12 July 2001</u> is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All  b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

## DETAILED ACTION

### *Response to Amendment*

1.      This office action is in response to the amendment filed on 08 January 2007.

### *Response to Arguments*

2.      Applicant's arguments filed 08 January 2007 have been fully considered but they are not persuasive. Applicant argues that the prior art of Vidyanand (US 6,967,728) fails to teach or suggest "receiving a user selection of one or more <u>non-printer-specific print options</u> via a network service, wherein the one or more non-printer-specific print options are identified for subsequent resolution, and wherein the one or more non-printer-specific print options can be applied to a plurality of other network services". The examiner respectfully disagrees. Vidyanand discloses in col. 6, lines 10-14, "preferred embodiments of the system 10 allow sets 16 of transferable printer preferences 18 to be readily defined, transferred and modified for use with different printers 26, and even for different printers 26 having different feature sets 28a-28n (FIG. 11)".

### *Claim Rejections - 35 USC § 101*

3.      35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4.      Claims 5, 7, 8, and 15-18 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claims 5 and 15 are directed towards "One or more computer readable media having stored thereon". This should be changed to "One or more computer readable media encoded with". Appropriate correction is required.

## *Claim Rejections - 35 USC § 102*

5.     The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6.     Claims 1 and 3-25 are rejected under 35 U.S.C. 102(e) as being anticipated by

Vidyanand (US 6,967,728).

7.     Regarding Claim 1, Vidyanand discloses a method comprising: receiving a user

selection of one or more non-printer-specific print options via a network, wherein the

one or more non-printer-specific print options are identified for subsequent resolution

(printer driver preference settings 18) (col. 6, lines 52-58), and wherein the one or more

non-printer-specific print options can be applied to one or more other network services

(stored set of printer driver setting is useful for other client computers) (col. 5, lines 33-

35), the non-printer-specific print options serving to configure a printer in a particular

manner for printing (other preferences selected) (col. 6, lines 52--58), the particular

manner defined by the one or more non-printer-specific print options submitted with a

print request to the printer where the one ore more non-printer-specific options are used

in printing a documents (other processing preferences) (col. 6, lines 52--58).

8.     Regarding Claim 3, Vidyanand discloses a method, wherein the one or more

other network services comprise one or more other printing services communicatively

coupled to the network service (stored set of printer driver setting is useful for other client computers) (col. 5, lines 33-35).

9.      Regarding Claim 4, Vidyanand discloses a method, further comprising: receiving a user-selected name for the one or more non-printer-specific print options (user may enter a desired name for a given set of preferences) (col. 6, lines 15-23); storing the one or more non-printer-specific print options as associated with the user-selected name (modify a previously defined set) (col. 7, lines 3-16); and allowing subsequent selection of the one or more non-printer-specific print options by the user based on the user-selected name (user may enter a desired name for a given set of preferences) (col. 6, lines 15-23).

10.      Regarding Claim 5, Vidyanand discloses one or more computer readable media having stored thereon a plurality of instructions that, when executed by one or more processors, causes the one or more processors to perform acts including: communicating a plurality of possible print options to a client computer (printer driver control interface 50) (user may enter a desired name for a given set of preferences) (col. 6, lines 15-23); receiving a user indication of selected ones of the plurality of possible print options (Fig. 9) (user selects a defined set 16) (col. 7, lines 44-60); receiving an identifier, indicated by the user, associated with the selected print options (Fig. 6, set name 51) (user enters a desired name) (col. 6, lines 15-23); saving the selected print options with the associated identifier (save the modified set as a new set ) (col. 7, lines 3-16); and making the selected print options subsequently available to the user for configuring of a plurality of printers in a particular manner, the particular manner

defined by the one or more print options submitted with a print request to a respective one of the plurality of printers where the one or more options are used in printing a document, wherein each of the plurality of print options is not specific to a particular printer (preferred embodiments of the system allow sets of transferable printer preferences to be readily defined, transferred and modified for use with different printers, and even for different printers having different feature sets (FIG. 11)) (col. 6, lines 10-14).

11.     Regarding Claim 7, Vidyanand discloses one or more computer readable media, wherein the making further comprises making the selected print options subsequently available for user-selection by the identifier associated with the selected print options (Fig. 9) (user selects a defined set 16) (col. 7, lines 44-60).

12.     Regarding Claim 8, Vidyanand discloses one or more computer readable media, further comprising saving a plurality of sets of selected print options and associated identifiers, and making each f the plurality of sets of selected print options subsequently available for use to the user for configuring of a plurality of printers (transferable printer preferences to be readily defined, transferred and modified for use with different printers, and even for different printers having different feature sets (FIG. 11)) (col. 6, lines 10-14).

13.     Regarding Claim 9, Vidyanand discloses a graphical user interface comprising: a plurality of portions illustrating user-selectable non-printer-specific print options and graphical mechanism via which a user can select the print options (Fig. 9, user interface 50); an additional user-input mechanism via which the user can input an identifier of the

selected non-printer-specific print options (Fig. 9) (user selects a defined set 16) (col. 7, lines 44-60); and another graphical mechanism via which the user can indicate a desire to save the selected non-printer-specific print options as associated with the identifier and for subsequent provision to a plurality of printers (Fig. 8, Save As), the print options serving to configure a printer in a particular manner for printing (Fig. 9) (reusable and transferable printer preference) (col. 7, lines 44-60), the particular manner defined by the one or more non-printer-specific print options submitted with a print request to a respective one of the plurality of printers where the one or more non-printer-specific options are used in printing a document (printer driver preferences are used to send print jobs to different printers) (col. 8, lines 30-44).

14.    Regarding Claim 10, Vidyanand discloses a graphical user interface, wherein one or more of the graphical mechanisms in the plurality of portions comprises a checkbox (Fig. 7).

15.    Regarding Claim 11, Vidyanand discloses a graphical user interface, wherein one or more of the graphical mechanisms in the plurality of portions comprises a data input box vial which the user can input alphanumeric characters (Fig. 6) (user may enter a desired name) (col. 6, lines 17-21).

16.    Regarding Claim 12, Vidyanand discloses a graphical user interface, wherein the identifier of the selected non-printer-specific print options comprises a user-selected name (Fig. 6, set name) (previously defined ser) (col. 7, lines 9-16).

17.    Regarding Claim 13, Vidyanand discloses a graphical user interface, wherein the

other graphical mechanism comprises a user-selectable on-screen button (Fig. 8) (col.

7, lines 38-43).

18.    Regarding Claim 14, Vidyanand discloses a graphical user interface, wherein the

graphical mechanisms in the plurality of portions include on or more of: a check box, a

radio button, a list box, an editable text box, a command button, a drop down list, a

popup menu, a spinner, and a slider (Figs. 6-9).

19.    Regarding Claim 15, Vidyanand discloses one or more computer readable media

having stored thereon a plurality of instructions that, when executed by one or more

processors, causes the one or more processors to perform acts including: receiving an

indication of one of a plurality of sets of non-printer-specific print options to be used in

printing a document irrespective of a printer on which the document is to be printed, the

non-printer-specific print options serving to configure the printer in a particular manner

for printing the particular manner defined by the one or more non-printer-specific print

options submitted with a print request to a printer where the one or more non-printer-

specific options are used in printing the document (Fig. 12, translation diagram) (initial

set of preferences) (col. 8, lines 59-67, col. 9, lines 1-2) ; receiving an indication of one

of a plurality of printers on which the document is to be printed (initial set of preferences

having been specified for use at a first printer) (col. 8, lines 62-64); and communicating

the indicated set of non-printer-specific print options to the indicated printer irrespective

of whether the printer supports one or more of the non-printer-specific print options

identified in the set of non-printer-specific print options (Fig. 12, translation diagram)

(initial set of preferences modified to accomplish print job) (col. 8, lines 59-67) (col. 9, lines 1-14).

20.     Regarding Claim 16, Vidyanand discloses one or more computer readable media, wherein the plurality of instructions further cause the one or more processors to perform acts including: determining, based on the indication of the one printer on which the document is to be printed, which of the non-printer-specific print options in the indicated set of non-printer-specific print options is supported by the one printer (defined preferences which are usable for a different destination printer); and communicating, for display to the user, an indication of which of the non-printer-specific print options in the indicated set of non-printer-specific print options is supported by the one printer (controllable selection of the default preferences) (col. 9, lines 3-26).

21.     Regarding Claim 17, Vidyanand discloses one or more computer readable media, wherein the plurality of instructions further cause the one or more processors to perform acts including: determining, based on the indication of the one printer on which the document is to be printed, which of the non-printer-specific print options in the indicated set of non-printer-specific print options is supported by the one printer (defined preferences which are usable for a different destination printer) (col. 9, lines 3-26); and communicating, for display to the user, an indication of which of the non-printer-specific print options in the indicated set of non-printer-specific print options is not supported by the one printer (selected features which are not translated to an available selectable preference) (col. 9, lines 28-39).

22.    Regarding Claim 18, Vidyanand discloses one or more computer readable media, wherein the plurality of instructions further cause the one or more processors to perform acts including: determining, for each of the plurality of printers, which of the non-printer-specific print options in the indicated set of non-printer-specific print options is supported by the printer (preferences were matched) (col. 11, lines 5-17); identifying one or more of the plurality of printers that support the most non-printer-specific print options in the indicated set of non-printer-specific print options (sets pf reusable and transferable preferences are established, stored and maintained) (col. 11, lines 26-38); and communicating, for display to the user, the identified one or more printers (preferences are broadcast to networked client computers) (col. 11, lines 39-45).

23.    Regarding Claim 19, Vidyanand discloses a system comprising: a network interface configured to allow the system to communicate with one or more other systems via a network (client computers are connected across a network) (col. 4, lines 42-46); and a printer configuration user interface, communicatively coupled to the network interface (user interface 5), wherein the printer configuration user interface is configured to allow a user of a client interface to select print options (reusable and transferable printer preference system located on a client computer) (col. 5, lines 65-67) and group the selection together as a configuration associated with a particular name (Fig. 6, set name interface), and wherein the printer configuration user interface is further configured to allow the user to select print options without regard for print options supported by a printer that the user can subsequently print to, the print options serving to configure the printer in a particular manner for printing, the particular manner defined

by the one or more options submitted with a print request to the printer where the one or more options are used in printing the document (Fig. 9) (col. 7, lines 44-60), wherein each of the plurality of print options is not specific to a particular printer (preferred embodiments of the system allow sets of transferable printer preferences to be readily defined, transferred and modified for use with different printers, and even for different printers having different feature sets (FIG. 11)) (col. 6, lines 10-14).

24.	Regarding Claim 20, Vidyanand discloses a system further comprising: a print user interface, communicatively coupled to the network interface, wherein the printer user interface is configured to allow the user to select one of the configurations by its associated name (previously defined set) (col. 7, lines 3-16), and further configured to allow the user to select a printer that is to be used to print a document using the configuration (Fig. 9) (print job printed to an output device 26) (col. 7, lines 61-67, col. 8, lines 1-4).

25.	Regarding Claim 21, Vidyanand discloses a system, wherein the print user interface is further configured to allow the user to select one of the configurations without regard for print options supported by the printer that is to be used to print the document (previously defined set) (col. 7, lines 3-16).

26.	Regarding Claim 22, Vidyanand discloses a method, implemented in a print service coupled to a network, the method comprising: receiving, from a device in the network, a print request identifying both a document to be printed and a set of desired non-printer-specific print options, wherein the set of desired non-printer-specific print options includes a corresponding setting for one or more of the desired non-printer-

specific print options (transferable and reusable printer preferences) (col. 10, lines 59-67, col. 9, lines 1-2); checking whether a printer corresponding to the print service supports the desired non-printer-specific print options (preferences were matched) (col. 11, lines 5-17); and for each option in the set of desired non-printer-specific print options, applying the setting corresponding to the option if the printer supports the non-printer-specific print option, and ignoring the setting corresponding to the option if the printer does not support the non-printer-specific print option (Fig. 12, translation of set preferences) (col. 8, lines 59-67) (col. 9, lines 1-14).

27.     Regarding Claim 23, Vidyanand discloses a method, wherein the print service comprises a print server corresponding to the printer (Figs. 2-4, print server 42).

28.     Regarding Claim 24, Vidyanand discloses a method, wherein the print service is implemented at the printer (Figs. 2-4, printer 26). '

29.     Regarding Claim 25, Vidyanand discloses a method, wherein the applying comprises applying the setting corresponding to the non-printer-specific print option if the printer supports the non-printer-specific print option with regard for whether the printer is currently capable of carrying out the non-printer-specific print option (Fig. 12, translation of set preferences) (col. 8, lines 59-67) (col. 9, lines 1-14).

## Claim Rejections - 35 USC § 103

30.     The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

31. Claim2 rejected under 35 U.S.C. 103(a) as being unpatentable over Vidyanand in view of Yanagidaira (US 6,490,052).

32. Regarding Claim 2, Vidyanand fail to teach a method, wherein the network service comprises an Internet home page.

Yanagidaira teaches teach a method, wherein the network service comprises an Internet home page.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Vidyanand with the teaching of Yanagidaira to put the shared printer information on the home page so the user can set the print options for the printing device via a web browser.

### Conclusion

33. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of
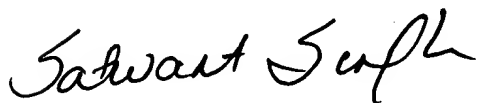
the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.
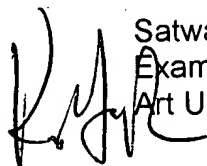
### Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Satwant K. Singh whose telephone number is (571) 272-7468. The examiner can normally be reached on Monday thru Friday 8am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on (571) 272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Satwant K. Singh
Examiner
Art Unit 2625

sks

KING Y. POON
PRIMARY EXAMINER